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**MEMO ENDORSED**

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June 20, 2007  
BY HAND

**SO ORDERED:**

Date: 6/20/07

*Richard M. Berman*  
Richard M. Berman, U.S.D.J.

The Hon. Richard M. Berman, U.S.D.J.  
The U.S. Courthouse  
500 Pearl Street  
New York, NY

RE: Nippon Yusen Kaisha v. Zircon Logistics  
07 Civ. 2874 (RMB)  
Our File: 8826/JDM

Your Honor:

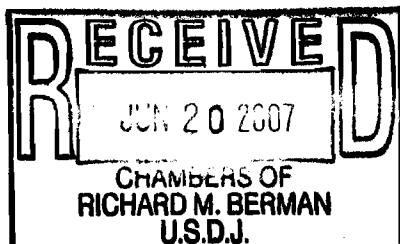
We are the attorneys for plaintiff in the above captioned matter which was filed on April 10, 2007. Service has not been made on the defendants. We write to ask for a second adjournment of the pretrial conference now scheduled for June 22, 2007 at 9:30 AM. One 30 day adjournment has been granted. No other adjournments have been requested or granted. The reason for the adjournment is that I must appear in New York State Supreme Court for New York County before Justice Fried to argue an order to show cause for a preliminary injunction on the day and time the conference is now scheduled.

As explained in our last letter to the Court, plaintiff brought this suit in an attempt to obtain security for its claim by means of a maritime attachment under Supplemental Admiralty Rule B and 9 U.S.C. 8. The claims pleaded in the complaint are now the subject of a maritime arbitration before a single arbitrator named Svend Hansen of the Society of Maritime Arbitrators in which the defendant has appeared. The Arbitrator's scheduling order attached to our last letter indicated that the arbitral award could well be made before Friday's adjournment date, thus mooted the need for litigation. However, the arbitration has not been completed. We entered into settlement discussions with defendant, and it looked like we had a deal, but it fell through, so we must return to arbitration. We ask that any adjournment be without prejudice to plaintiff's right to continue to seek Rule B attachment security.

Respectfully,  
CICHANOWICZ CALLAN KEANE VENGROW  
& TEXTOR, LLP

By:

*Joseph De May, Jr.*  
Joseph De May, Jr.



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